

ERSKINE & TULLEY  
A PROFESSIONAL CORPORATION  
MICHAEL J. CARROLL (ST. BAR #50246)  
220 Montgomery Street, Suite 303  
San Francisco, CA 94104  
Telephone: (415) 392-5431  
Facsimile: (415) 392-1978

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**BOARD OF TRUSTEES OF THE SAN MATEO ) NO. C 07 3357 JL  
HOTEL EMPLOYEES, et al. )**

**REQUEST TO SET ASIDE  
DEFAULT**

**WESTLODGE HOSPITALITY INC., a  
corporation, doing business as TRAVELODGE  
and as TRAVELODGE SAN FRANCISCO  
AIRPORT NORTH.**

### **Defendants.**

Plaintiffs request that the default entered on August 22, 2007 against defendant Westlodge Hospitality Inc., be set aside for the following reasons:

1. It appears that the person served was not authorized to accept service and was not employed by the defendant.
  2. Plaintiffs have been advised by an attorney for the defendant that WESTLODGE  
ITALITY INC., is not a proper party to this proceedings. Plaintiffs want an opportunity to review  
red information and determine whether or not the complaint needs to be amended.

Respectfully submitted,

By: /s/ Michael J. Carroll  
MICHAEL J. CARROLL  
Attorney for Plaintiff

1                   PROOF OF SERVICE BY MAIL

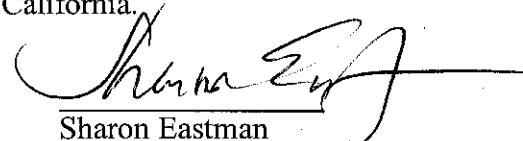
2 I am a citizen of the United States and employed in the City and County of San Francisco, California.  
3 I am over the age of eighteen years and not a party to the within above entitled action; my business  
4 address is 220 Montgomery Street, Suite 303, San Francisco, CA 94104. On August 29, 2007, I served  
5 the REQUEST TO SET ASIDE DEFAULT AND ORDER TO SET ASIDE DEFAULT on the defendant  
6 in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully  
7 prepaid, in the United States post office mail box at San Francisco, California, addressed as follows:

8 Allison M. Woodale  
Hansen Bridgett  
9 425 Market Street, 26<sup>th</sup> Floor  
San Francisco, CA 94105

10

11 I, SHARON EASTMAN, certify (or declare), under penalty of perjury that the foregoing is true and  
12 correct.

13 Executed on August 29, 2007 at San Francisco, California.

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15                   Sharon Eastman

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